

To the Members of the California State Senate:

I am returning Senate Bill 1365 without my signature.

I support the author's goal to ensure that Californians are provided comprehensive services supporting the inclusion of persons with disabilities, regardless of age or type of disability, into community life in lieu of unnecessary institutionalization, consistent with the U.S. Supreme Court's *Olmstead* decision. I fully support the principles underlying the *Olmstead* decision and am committed to making changes in State programs and policies to ensure that persons with disabilities have appropriate access to and choices of community based services and placement options.

I have worked to develop innovative approaches to support the ability of people to live in their homes and communities rather than in institutions, including securing a federal Independence Plus waiver to ensure continued provision of in home services. My Administration is also developing statewide assessment tools to help people move out of institutions or remain in home. In addition, the Health and Human Services Agency (HHSA) has convened its Long Term Care Council to further develop the state plan and approach for meeting the requirements of the *Olmstead* decision.

California's Olmstead Plan, published in 2003, provides an important roadmap for supporting the ability of state residents to live in the most integrated setting possible. My Administration is evaluating this plan and reviewing the best ways to meet the intent of the Olmstead decision. In that regard, I believe that further review, development and implementation of the Olmstead Plan must be informed by input from a diversity of stakeholders. I do not believe that it is necessary to establish such a process in statute, as proposed by SB 1365, and consider the Olmstead Advisory Council established by SB 1365 to be duplicative of efforts already underway by HHSA to convene an Olmstead Advisory Committee.

Given my Administration's strong commitment to the principles and objectives of the Olmstead Plan as well as to the value of stakeholder engagement and participation, I believe that formalizing HHSA's establishment of an Olmstead Advisory Committee (Committee) is appropriate. I therefore have issued Executive Order S-18-04 directing HHSA to establish a Committee to provide input to the Agency on its efforts to evaluate, implement and monitor the Olmstead Plan, on recommended actions to improve California's long-term care system, and on opportunities to fund expanded or new activities to support individuals with disabilities in their community. My Administration looks forward to working with the author in identifying strong candidates to serve on this Committee.

For these reasons I am unable to sign this measure.

Sincerely,

Arnold Schwarzenegger